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July 2, 2007

VIA FACSIMILE

To: Mai Facsimile No.: (571) 273-6500
 Deposit Accounts
 U.S.P.T.O.

From: Sean M. McGinn Facsimile No.: (703) 761-2375

Re: January 31, 2007 Deposit Account Statement
 U.S. Patent Application No.: 10/659,271
 Our Ref.: NGB.290

Dear Mai:

An amount of \$120.00 was deducted from our Deposit Account 50-0481 on January 12, 2007, for fee code 1251, Extension for response within 1st month.

Our records show that we filed a Response to Restriction Requirement on January 3, 2007. However, the due date was December 30, 2006, which fell on a Saturday but basically due Monday, January 1, 2007 which was a national holiday and the next day was January 2, 2007 in which the USPTO was closed (Ex-President Ford's funeral).

Thus, the Response to Restriction Requirement was filed January 3, 2007 (The next business day after the due date). Therefore, \$120.00 was charged in error and should be refunded.

For your convenience, also enclosed is a copy of the January 31, 2007 Monthly Statement of Deposit Account and the Notice concerning the closing of the USPTO due to Ex-President Ford's funeral.

Thank you in advance for your consideration on this case.

Very truly yours,

Sean M. McGinn

SMM/yr

H64-154426M/MNN
NGB.290

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Shigenori Yaguchi, et al.

Serial No.: 10/659,271

Group Art Unit: 1756

Filed: September 11, 2003

Examiner: Goodrow, John L.

For: ELECTROPHOTOGRAPHIC TONER AND IMAGE FORMING SYSTEM

Honorable Commissioner of Patents
Alexandria, VA 22313-1450

ATTENTION: FINANCE DIVISION

Sir: **REQUEST FOR REFUND**

An amount of \$120.00 was deducted from our Deposit Account 50-0481 on January 12, 2007, for fee code 1251, Extension for response within 1st month.

Our records show that we filed a Response to Restriction Requirement on January 3, 2007. However, the due date was December 30, 2006, which fell on a Saturday but basically due Monday, January 1, 2007 which was a national holiday and the next day was January 2, 2007 in which the USPTO was closed (Ex-President Ford's funeral).

Thus, the Response to Restriction Requirement was filed January 3, 2007 (The next business day after th due date). Therefore, \$120.00 was charged in error and should be refunded.

Therefore, Applicant respectfully requests that the \$120.00 fee be refunded to Attorney's Deposit Account No. 50-0481. Please credit any overpayment of fees to Attorney's Deposit Account number 50-0481.

Respectfully Submitted,

Date: 7/2/07


Sean M. McGinn, Esq.
Reg. No. 34,386

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To replenish your deposit account, detach and return top portion with your check. Make checks payable to "Director of the USPTO."

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Call the Deposit Account Branch at 571-272-6500 for assistance.

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In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Tuesday, January 2, 2007, the day proclaimed by President Bush as a National Day of Mourning, the United States Patent and Trademark Office will consider Tuesday, January 2, 2007 a "Federal holiday within the District of Columbia" under 36 U.S.C. § 21 and [READ FULL NOTICE>>>](#)

- [United States Postal Service Interruption and Emergency under 36 U.S.C. 21\(a\) \[signed 02Nov2005\] \(08Nov2005\) \[PDF\]](#)

The United States Patent and Trademark Office (USPTO) is designating the interruption in service of the United States Postal Service (USPS) in the areas affected by Hurricane Wilma in Florida on October 24, 2005, as a postal service interruption and an emergency within the meaning of 36 U.S.C. § 21(a) and 37 CFR 1.10(l) and 2.195(e) [READ FULL NOTICE>>>](#)

- [United States Postal Service Interruption and Emergency under 35 U.S.C. 21\(a\) \[signed 27Sept2005\] \(28Sep2005\) \[PDF\]](#)

The United States Patent and Trademark Office (USPTO) is designating the interruption in service of the United States Postal Service (USPS) in the areas affected by Hurricane Rita in Louisiana and Texas on September 23, 2005, as a postal service interruption and an emergency within the meaning of 35 U.S.C. § 21(a) and 37 CFR 1.10(l) and 2.195(e) [READ FULL NOTICE>>>](#)

- [Office Actions and Notice of Allowances Previously Mailed to Areas of Alabama, Louisiana, and Mississippi Affected by Hurricane Katrina \[signed 16Sept2005\] \(15Sep2005\) \[PDF\] \(This notice supercedes the one that was signed 14Sep2005\)](#)

The United States Patent and Trademark Office (USPTO) considers the effects of Hurricane Katrina to be an "extraordinary situation" within the meaning of 37 CFR 1.183 for the affected applicants. For applications pending in the office as of September 1, 2005 having a correspondence address in the affected areas of Alabama, Louisiana, and Mississippi, in which a reply to an Office action (final, non-final, or other), a notice of allowance [READ FULL NOTICE>>>](#)

- [Patent Practitioners: Ethics FAQs for Practitioners in Response to Hurricane Katrina \(13Sep2005\)](#)

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